

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ROBERT W. JOHNSON,	)	
	)	
Plaintiff,	)	
	)	No. 2:22-cv-00144
v.	)	
	)	
OM HOSPITALITY INC., et al.,	)	
	)	
Defendants.	)	

**ORDER ADOPTING REPORT AND RECOMMENDATION**

The Plaintiff in this action has been authorized to proceed *in forma pauperis*, ECF No. 2, and it has been referred to United States Magistrate Judge Lisa Pupo Lenihan for certain pretrial proceedings, including the provision of reports and recommendations. The Plaintiff reports his residence as being in Watertown, NY, ECF No. 3-1, and various papers he has filed with the Complaint reference events relating to Stroudsburg, PA, located in the Middle District of Pennsylvania. ECF No. 3-2. He also attaches an exhibit showing his home address as being in the State of New Jersey, and another involved entity being located in Cleveland, Ohio. Suffice it to say that none of those places are in this judicial district. The Plaintiff says that he seeks \$100,000,000 in money damages, and as the Magistrate Judge has noted, his issues appear to relate to some sort of denial of workers' compensation benefits.

The Magistrate Judge completed the screening of the Complaint as required by statute given its *in forma pauperis* nature, and has recommended that this civil action be dismissed without prejudice as failing to state a claim, no matter how liberally construed, and that the Plaintiff be given 20 days to file an Amended Complaint setting forth with specificity facts that would show the existence of a claim under federal law, or which otherwise falls within the subject matter

jurisdiction of this Court. The Plaintiff filed timely objections, ECF No. 5, but they are wholly lacking in any substantive objection to the context of the Report and Recommendation.

This Court has nonetheless conducted a *de novo* review of the Complaint and related papers, and adopts in full the Report and Recommendation at ECF No. 4 as the Opinion of the Court.

This civil action is hereby dismissed without prejudice. Plaintiff may file an Amended Complaint within twenty (20) days of the date of this Order that specifically shows sufficient facts to support the exercise of this Court's subject matter jurisdiction over this case, that the Plaintiff has a claim for relief that may be heard in this Court, and that this particular Court has venue over this case, should a case be properly pled. Should Plaintiff not file such a conforming Amended Complaint within the time allotted by this Order, then this dismissal shall automatically be converted to a dismissal with prejudice without further Notice or Order. This matter will be administratively closed on the docket pending the expiration of such twenty (20) day period.



Mark R. Hornak  
Chief United States District Judge

Dated: April 12, 2022

cc: Robert W. Johnson (via U.S. Mail)  
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Apt. 2  
Watertown, NY 13601